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Gabriel S. Meyer
Assistant General Attorney

April 25, 2008

Via UPS 2nd Day Air

Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ENTERED
Office of Proceedings

APR 28 2008

Part of
Public Record

Attention: Victoria Rutson

Re: Proposed Abandonment of the Litchfield Industrial Lead, from Milepost 889.34 to Milepost 892.25, STB Docket No. AB-33 (Sub-No. 266X)

Dear Ms. Rutson:

Enclosed for filing in the above-referenced matter are the original and ten (10) copies of Union Pacific Railroad Company's Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. Sections 1105.7 and 1105.8, with a Certificate of Service and a transmittal letter pursuant to 49 C.F.R. Section 1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after May 19, 2008. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Gabriel S. Meyer".

Gabriel S. Meyer

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 266X)

**UNION PACIFIC RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN MARICOPA COUNTY, AZ
(LITCHFIELD INDUSTRIAL LEAD)**

**ENTERED
Office of Proceedings**

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**Part of
Public Record**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

**Gabriel S. Meyer
Assistant General Attorney
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska 68179
(402) 544-1658
(402) 501-3393 FAX**

**Dated: April 25, 2008
Filed: April 29, 2008**

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 266X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MARICOPA COUNTY, AZ
(LITCHFIELD INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of the Litchfield Industrial Lead, from Milepost 889.34 (Litchfield Junction) to Milepost 892.25 (Litchfield Park), a distance of 2.91 miles in Maricopa County, Arizona (the "Line"). The Line traverses U.S. Postal Service Zip Codes 85338 and 85395. UP anticipates that it will file a Petition for Exemption to abandon the Line on or after May 19, 2008.

A map of the Line (**Attachment No. 1**), and UP's letter to federal, state and local government agencies (**Attachment No. 2**) are attached to this EHR. Responses received thus far to UP's letters are also attached.

ENVIRONMENTAL REPORT
49 C.F.R. § 1105.7(e)

(1) **Proposed action and alternatives.** Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves an exempt abandonment of UP's Litchfield Industrial Lead. The Line proposed for abandonment extends from Milepost 889.34 (Litchfield Junction) to Milepost 892.25 (Litchfield Park) in Maricopa County, Arizona, a total distance of 2.91 miles. A map of the Line is attached as **Attachment No. 1**

The Line was originally constructed in 1920 by the Arizona Eastern Railroad. Its track contains 90-pound rail, laid in 1934. The Line is shown in UP's timetable as excepted track

The right-of-way proposed for abandonment does not appear to be suitable for other public purposes including roads or highways, mass transportation, conservation, energy production or transmission, or recreation. The Line is located in the City of Goodyear, AZ and is situated in an industrial area. The area to the north of the right-of-way consists primarily of residential areas and parklands. The highest and best use of the involved property would be to dispose of UP's interest through sales to adjacent property owners. The Line does not include any reversionary property interests which could affect the transfer of title or use of the property for other than railroad purposes.

Based upon information in UP's possession, the Line does not contain any federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

After the proposed abandonment, the closest available rail service would be

provided via UP's Phoenix Subdivision at Litchfield Junction (the southern end of the Line). The Line serves the western portion of the Phoenix metropolitan area, which is well served by local roads and highways. Additionally, the Line is paralleled by Litchfield Road, which connects to Arizona Highway 85 at the south end of the Line and Interstate 10 at the north end.

No customers have received rail service via the Line since October, 2007. Prior to that time, the sole customer to receive rail service via the Line was, Dietrich Metal Framing ("Dietrich"), located near Milepost 890.50. No other rail-served customers have been located along the Line for at least two years. Accordingly, the 1.75 miles of the Line north of Dietrich would qualify for an out-of-service exemption. Dietrich's address is 500 Grant Street, Suite 2226, Pittsburgh, PA 15219. Dietrich ceased direct rail shipments from its facility on the Line in October, 2007 in favor of transloading along another UP rail line in the region. Furthermore, Dietrich is terminating the lease of its facility on the Line as of the end of April, 2008. Dietrich Metal Framing's shipping profile is as follows:

2006: STCC 331251, tees or zees, iron or steel, nec, 17 cars, 935 tons.

2007: STCC 331251, tees or zees, iron or steel, nec, 9 cars, 504 tons.

2008: No activity.

(2) Transportation System. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Given that no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

(3) Land Use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response:

(i) UP is unaware of any adverse effects on local and existing land use plans. The Maricopa County Board of Supervisors' Office has been contacted. To date, UP has received no response.

(ii) The Natural Resources Conservation Service ("NRCS") has been contacted. Upon review, the NRCS found no direct, permanent conversion of prime farmland or impacts that would directly affect wetland areas resulting from the proposed abandonment. The NRCS' response is attached as **Attachment No. 3**.

(iii) Not Applicable.

(iv) The property associated with the Line does not appear to be suitable for public purposes such as roads, highways, or other forms of mass transportation, conservation, or energy production or transmission, because the subject area is located in an industrial area, while the area to the north of the right-of-way consists primarily of residential areas and parklands. UP believes the highest and best use of the property would be to dispose of UP's interests through sales to adjacent property owners.

(4) Energy.

- (i) Describe the effect of the proposed action on transportation of energy resources
- (ii) Describe the effect of the proposed action on recyclable commodities.
- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why
- (iv) If the proposed action will cause diversions from rail to motor carriage of more than.

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There are no effects on the transportation of energy resources.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no change in energy consumption from the proposed action

(iv)(A)(B) UP does not anticipate that there will be any rail-to-motor diversion.

(5) Air. (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. §10901 (or §10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

Response: UP does not anticipate any such effects.

(5) Air. (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. §10901 (or 49 U.S.C. §10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic as a result of the proposed action.

(5) Air. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds, safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills, the contingency plans to deal with accidental spills, and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) Biological resources.

(i) Based on consultation with the U S Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects

Response: (i) The U. S. Fish and Wildlife Service has been contacted. To date, UP has received no response.

(ii) The National Park Service has been contacted To date, UP has received no response

(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U S Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects

(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U S Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response: (i) The U. S. Environmental Protection Agency Regional Office has been contacted To date, UP has received no response The Arizona Department of Environmental Quality ("DEQ") reviewed the proposed project and determined that there would not be adverse environmental impacts if the rail line remains in place, continues to operate under new ownership, or is converted to a public trail. The Arizona DEQ's response is attached as **Attachment No. 4.**

(ii) The U. S. Army Corps of Engineers has been contacted. To date, UP has received no response

(iii) UP does not anticipate that there will be any requirements for Section 402 permits.

(10) Proposed Mitigation Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate

Response: There are no known adverse environmental impacts

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See Attachment No. 1

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The Line's right-of-way is approximately 50 feet wide, and its topography is generally level.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

Response: There are no structures over 50 years old affected by the proposed abandonment

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response: Not applicable.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.

Response: See UP's response to question (1) in the Environmental Report for a brief history and description.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.

Response: UP does not have any relevant documentation.

(7) An opinion (based on readily available information in the UP's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: At this time, UP knows of no historic sites or structures or archeological resources in the project area. No structures over 50 years old are affected by the proposed abandonment.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

Response: UP does not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified non-railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 25th day of April, 2008.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY
Gabriel S. Meyer, Assistant General Attorney
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska 68179
(402) 544-1658
(402) 501-3393 FAX

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 266X), the Litchfield Industrial Lead in Maricopa County, Arizona was served by first class mail, postage prepaid, on the 25th day of April, 2008 on the following.

State Clearinghouse (or alternate):

Arizona State Clearinghouse
3800 North Central Avenue
Fourteenth Floor
Phoenix, AZ 85012

State Environmental Protection Agency:

Arizona Department of Environmental Quality
1110 W Washington St
Phoenix, AZ 85007

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of County (Planning):

Maricopa Board of Supervisors
301 W Jefferson Street
County Administration Building
Phoenix, AZ 85003-2143

**Environmental Protection Agency
(regional office):**

U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

U.S. Fish and Wildlife:

U.S. Fish and Wildlife Service
Region 2
P O Box 1306
Albuquerque, NM 87103-1306

U.S. Army Corps of Engineers:

U S Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd , Suite 980
Los Angeles, CA 90017

National Park Service:

Intermountain Regional Office
National Park Service
12795 Alameda Pkwy
Denver, CO 80228

**U.S. Natural Resources Conservation
Service:**

State Conservationist - David L. McKay
Natural Resources Conservation Service
Arizona State Office
230 N First Avenue, Suite 509
Phoenix, AZ 85003-1733

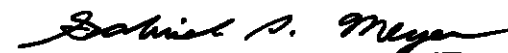
National Geodetic Survey:

National Geodetic Survey
Frank Maida, Chief
Spatial Reference System Division
NOAA N/NGS23
1315 E-W Highway
Silver Spring, MD 20910-3282

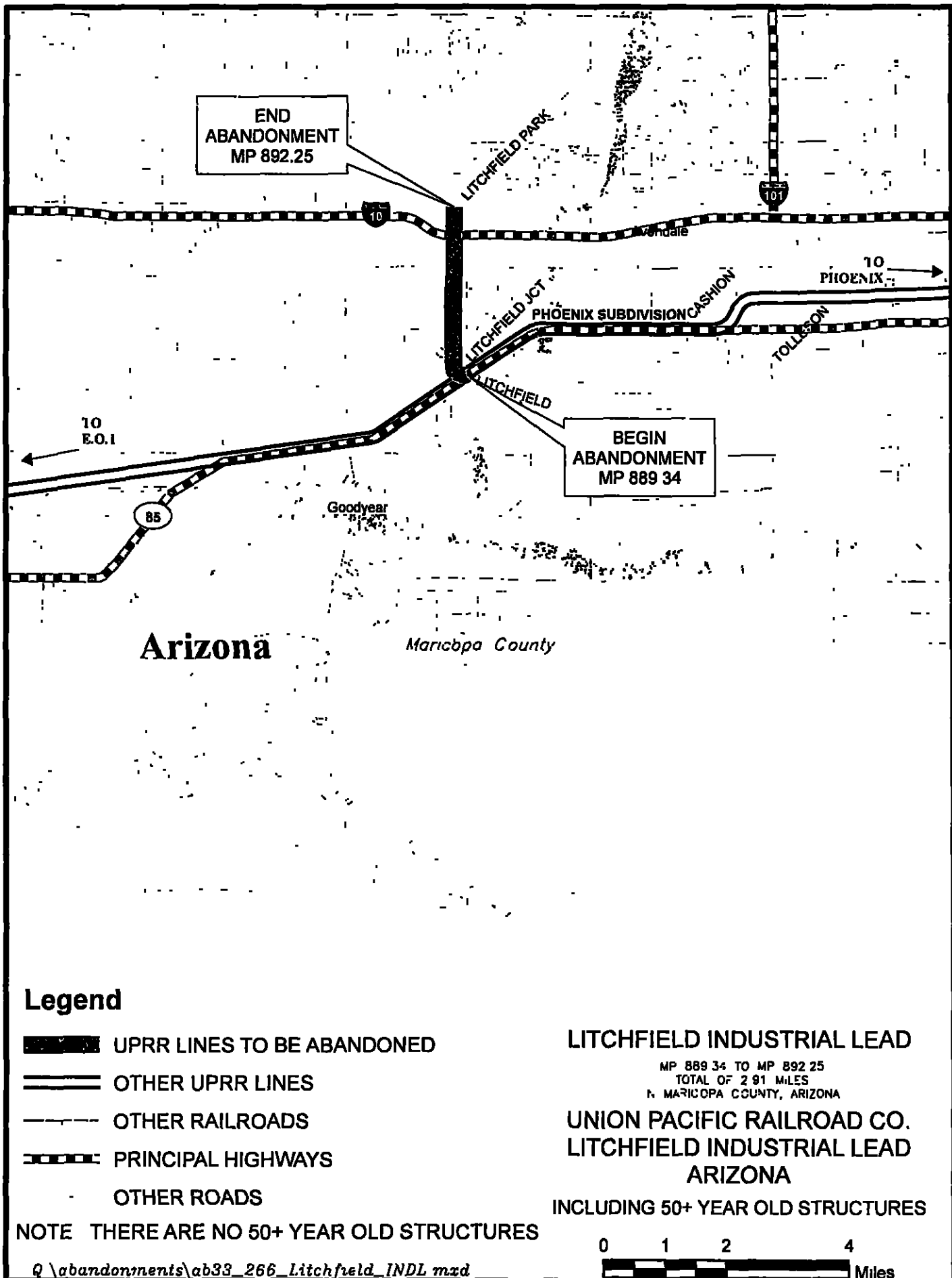
State Historic Preservation Office:

State Historic Preservation Officer
Arizona State Parks
1300 West Washington
Phoenix, AZ 85007

Dated this 25th day of April, 2008.



Gabriel S Meyer





February 22, 2008

State Clearinghouse (or alternate):

Arizona State Clearinghouse
3800 North Central Avenue
Fourteenth Floor
Phoenix, AZ 85012

State Environmental Protection Agency:

Arizona Department of Environmental Quality
1110 W Washington St.
Phoenix, AZ 85007

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of County (Planning):

Mercopa Board of Supervisors
301 W Jefferson Street
County Administration Building
Phoenix, AZ 85003-2143

**Environmental Protection Agency
(regional office):**

U S Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

U.S. Fish and Wildlife:

U S Fish and Wildlife Service
Region 2
P O. Box 1306
Albuquerque, NM 87103-1306

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd., Suite 980
Los Angeles, CA 90017

National Park Service:

Intermountain Regional Office
National Park Service
12795 Alameda Pkwy
Denver, CO 80228

**U.S. Natural Resources Conservation
Service:**

State Conservationist - David L McKay
Natural Resources Conservation Service
Arizona State Office
230 N. First Avenue, Suite 509
Phoenix, AZ 85003-1733

National Geodetic Survey:

National Geodetic Survey
Frank Maida, Chief
Spatial Reference System Division
NOAA N/NGS23
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

State Historic Preservation Officer
Arizona State Parks
1300 West Washington
Phoenix, AZ 85007

Re: Proposed Abandonment of the Litchfield Industrial Lead from M.P 889.34 at Litchfield Junction, Arizona, to end of line at M.P 892.25 near Litchfield Park, a distance of 2.91 miles in Mericopa County, Arizona, STB Docket No. AB-33 (Sub-No. 264X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Litchfield Industrial Lead from M.P 889.34 at Litchfield Junction, Arizona, to end of line at M.P 892.25 near

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 158C, Omaha, NE 68179-1580
fx (402) 501-0127

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Litchfield Park, a distance of 2.91 miles in Mericopa County, Arizona. A map of the proposed track abandonment shown in black is attached.

Pursuant to the STB's regulations at 49 C F R. Part 1152, and the environmental regulations at 40 C F. R Part 1105 7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below We do not anticipate any adverse environmental impacts; however, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans Describe any inconsistencies.

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

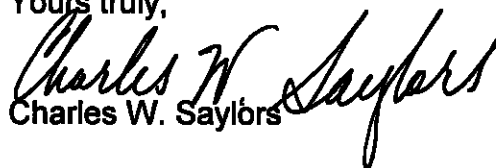
STATE WATER QUALITY OFFICIALS State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

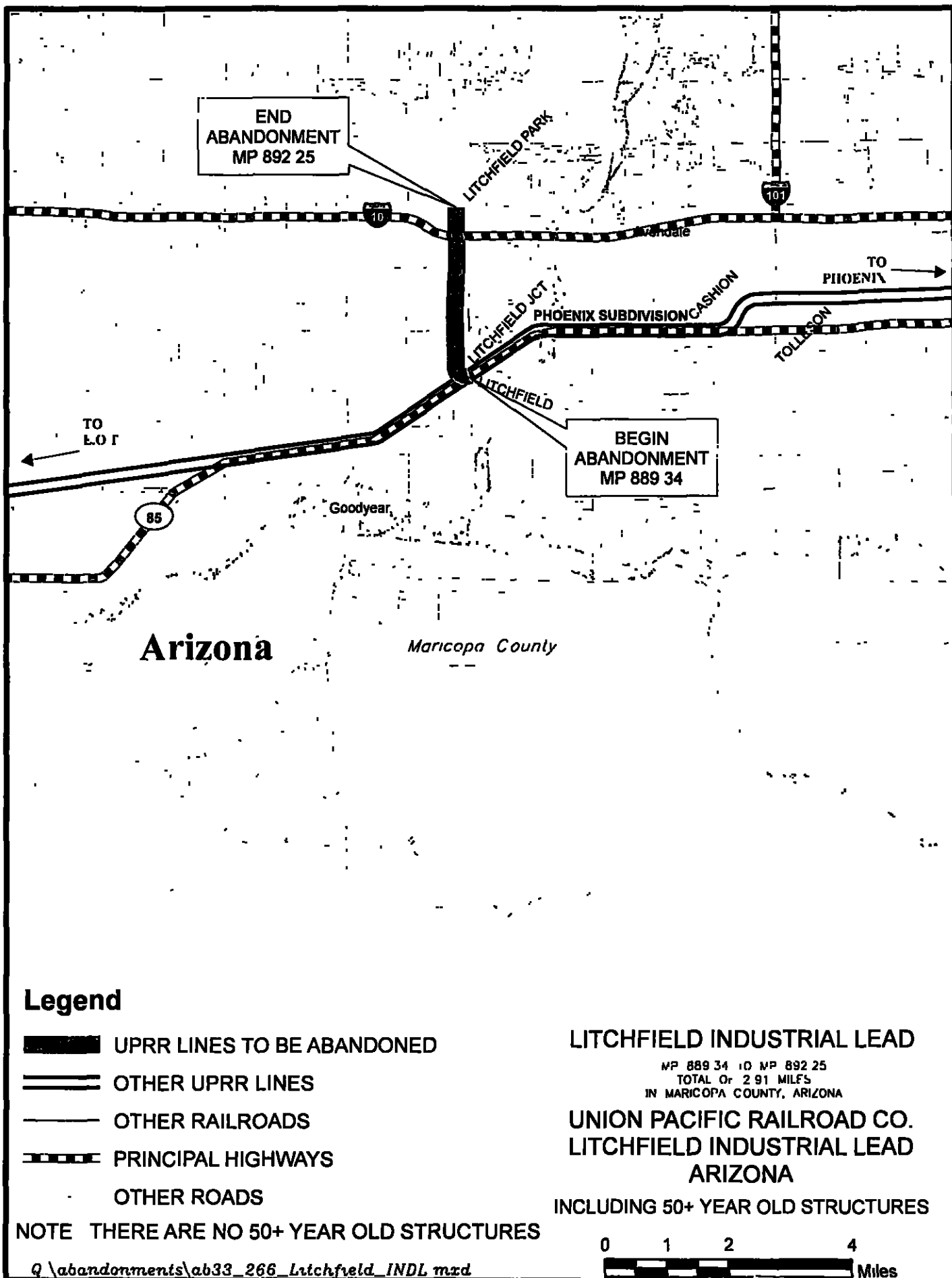
U S ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY) (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U S.C § 1342) are required for the proposed action

Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylors, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179 If you need further information, please contact me at (402) 544-4861.

Yours truly,


Charles W. Saylors

Attachment



United States Department of Agriculture



Natural Resources Conservation Service
230 N 1st Avenue, #509
Phoenix, Arizona 85003-2946
(602) 280-8801
FAX (602) 280-8809

March 27, 2008

Charles Saylor
Union Pacific Railroad
1400 Douglas Street
Stop 1580
Omaha, Nebraska 68179-1580

Dear Mr. Saylor:

This response is in regard to your letter dated February 22, 2008, requesting information regarding the presence of prime and unique land status for the proposed abandonment of the Litchfield Lead from MP 889.34 at Litchfield Junction, to end of line at MP 892.25 near Litchfield Park in Maricopa County, Arizona.

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and to review projects that may affect prime farmland and/or wetlands associated with agriculture. After reviewing the information provided, the following is noted:

- 1) Although prime farmland does exist in the vicinity of the proposed 2.91 miles of track abandonment of the Litchfield Industrial Lead, there seemingly will be no direct, permanent conversion of prime farmland. If our assumption is correct, your project is exempt from complying with the Farmland Protection Policy Act. However, if your project will indeed result in a direct and permanent conversion of any cropland in the vicinity of the track abandonment, please contact us for further information.
- 2- We do not see any immediate concerns or impacts that would directly affect wetland areas associated with agriculture.

We recommend that any future development projects receive a prime farmland determination prior to any construction activities. Should you have questions, please feel free to contact Steve Smarik, Environmental Coordinator, at 602.280.8785 or at the address shown above.

Thank you again for the chance to review the proposed project

Sincerely,

A handwritten signature in black ink that reads "Eric Banks".

ERIC BANKS
Assistant State Conservationist (P-FA)

cc.

Corey Nelson, DC, Avondale, Arizona
Steve Smarik, Environmental Coordinator, NRCS, Phoenix, Arizona



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

March 18, 2008

Charles W. Saylor
Law Department
Union Pacific Railroad
1400 Douglas Street, Stop 1580
Omaha, NE 68179-1580

Dear Mr. Saylor:

Thank you for your February 22, 2008 letter regarding comments for the Environmental Report on Union Pacific Railroad Company's plan to abandon and discontinue service on the Litchfield Industrial Lead from M.P. 889.34 at Litchfield Junction to end of the line at M.P. 892.25 near Litchfield Park. The Arizona Department of Environmental Quality (ADEQ) would like to make you aware of some water quality issues that may need to be addressed.

The Water Quality Division is responsible for ensuring the delivery of safe drinking water to customers of regulated public water systems under the Safe Drinking Water Act, permits for proposed discharges to surface waters of the United States under the federal Clean Water Act (CWA), permits for proposed discharges that may impact groundwater under the State aquifer protection program and water quality certifications of certain federal licenses and permits. Our comments related to these programs are presented below

As the Division understands the options for abandonment, we would agree that there would not be adverse environmental impacts if the rail line remains, or if the rail line continues under another company or as a public trail. However, if the option is to physically remove the rail line, then the Division believes state water quality laws and regulations would apply.

Stormwater discharges associated with construction activities (clearing, grading, or excavating) which disturb one acre or more must obtain a general permit for coverage of stormwater discharges from industrial activities under the Arizona Pollutant Discharge Elimination System (AZPDES) program. Your notice indicates that the total length of the planned abandoned rail line is 2.91 miles. If the planned disposition is to physically remove the rail line, the Environmental Report should address the Stormwater Pollution Prevention Plan (SWPPP), which must be prepared and implemented during the course of construction activities. The SWPPP must comply with ADEQ's Construction General Permit's SWPPP requirements, and must identify such elements as the project scope, anticipated acreage of land disturbance, and the

Northern Regional Office
1801 W Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

Charles W. Saylor

March 18, 2008

Page 2

best management practices that would be implemented to reduce soil erosion and contain and/or minimize the pollutants that might be released to waters of the U.S. In addition to preparing the SWPPP, the project proponent would need to file for permit coverage. The Construction General Permit, SWPPP checklist, and associated forms are available on ADEQ's website at:
<http://www.azdeq.gov/cnviron/water/permits/stormwater.html#const>.

We appreciate the opportunity to review and comment on your plan.

Sincerely,



Linda Taunt, Deputy Director
Water Quality Division

I R08-0013

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